

Remarks

Claims 1-22 are pending in this application. Applicant has amended claims 1, 16, 21, and 22 and cancelled claims 2 and 3 to clarify the present invention. Applicant respectfully requests favorable reconsideration of this application.

The Examiner rejected claims 1, 2, 4, 5, 21, and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 6,150,733 to Podszun et al. The Examiner rejected claims 3 and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over Podszun et al. in view of EP 0 778 559 to Kobayashi et al. The Examiner rejected claims 6-14 under 35 U.S.C. § 103(a) as being unpatentable over Podszun et al. in view of DE 102 26 477 to Stich.

Podszun et al. does not disclose the present invention as recited in claims 1, 21 or 22 since, among other things, Podszun et al. does not disclose a device that includes a reference sensor that includes a first reference sensor element arranged to sense engine-excited vibrations and a second reference sensor element arranged to sense road-excited vibrations. Podszun et al. does not disclose sensors arranged to sense such specific vibrations. The first and second reference sensor elements recited in claims 1, 21, and 22 provide a reference signal to a control unit. The control unit controls an actuator device connected to the steering wheel based on the reference signal and a sensor signal provided by a sensor sensing vibrations in a steering wheel. Podszun et al. also does not disclose an arrangement that includes a sensor and a reference sensor.

In view of the above, Podszun et al. does not disclose all elements of the present invention as recited in newly claims 1, 2, 4, 5, 21, and 22. Since Podszun et al. does not disclose all elements of the present invention as recited in newly claims 1, 2, 4, 5, 21, and 22, the present invention, as recited in claims 1, 2, 4, 5, 21, and 22, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

The combination of Podszun et al. and Kobayashi et al. does not suggest the present invention as recited in claims 3 and 15-20, which depend from claim 1, since, among other things, Kobayashi et al. does not overcome the above-described deficiencies of Podszun et al. For example, Kobayashi et al. also does not suggest a device that includes a sensor to sense vibrations in a steering wheel as well as a reference sensor that includes a first reference sensor element arranged to sense engine-excited vibrations and a second reference sensor element arranged to sense road-excited vibrations. The reference sensor elements make it possible to efficiently and selectively and more accurately address vibrations having different sources. Addressing vibrations can include selectively suppressing the vibrations, or if desired, not

suppressing the vibrations or even selectively amplifying the vibrations. The reference signal is also free of feedback from the actuator. This can improve the stability of the device.

Additionally, Kobayashi et al. does not disclose a device that acts on a vehicle to obtain a desired vibration character in the steering wheel. Accordingly, the combination of Podszun et al. and Kobayashi et al. does not suggest the present invention as recited in claims 3 and 15-20.

The combination of Podszun et al. and Stich does not suggest the present invention as recited in claims 6-14, which depend from claim 1, since, among other things, Stich does not overcome the above-described deficiencies of Podszun et al. For example, Stich also does not suggest a reference sensor that includes a first reference sensor element arranged to sense engine-excited vibrations and a second reference sensor element arranged to sense road-excited vibrations. Therefore, the combination of Podszun et al. and Stich does not suggest the present invention as recited in claims 6-14.

In view of the above, the references relied upon in the office action do not disclose or suggest patentable features of the present invention. Therefore, the references relied upon in the office action do not anticipate the present invention or make the present invention obvious. Accordingly, Applicants respectfully request withdrawal of the rejections based upon the cited references.

In conclusion, Applicant respectfully requests favorable reconsideration of this case and issuance of the Notice of Allowance.

If an interview would advance the prosecution of this application, Applicants respectfully urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

Date: 4/11/08


Eric J. Franklin, Reg. No. 37,134
Attorney for Applicants
Venable LLP
575 Seventh Street, NW
Washington, DC 20004
Telephone: 202-344-4936
Facsimile: 202-344-8300